

SCHOOL CHOICE MATTERS

# Maine Policy Report

# Introduction

## PURPOSE

A combination of well-designed policies give all students access to the broadest range of educational opportunities, including key core policies and helpful policy enhancers. The purpose of this document is to provide insight to how well your state is doing at implementing the Ecosystem of School Choice Policies. This state report summarizes evidence across the seven policy buckets, with each policy component detailed in individual cells.

## CORE POLICIES

Key policies expand student opportunities.



[Open Enrollment](#)



[Charter Schools](#)



[Private School Choice](#)



[Homeschooling](#)

## POLICY ENHANCERS

Supporting policies enhance those opportunities.



[Part-time Enrollment/Course Access](#)



[Learn Everywhere](#)



[Transportation](#)

CORE POLICIES



## Open Enrollment in Maine

POLICY	RATING	POLICY OVERVIEW
<p>Transfers Between Districts</p>	<p><b>LIMITED</b></p> <p>Sending and/or receiving districts have discretion over transfers</p>	<p>Maine Statutes provide that elementary and secondary students whose parents live remote from a public school in their school administrative unit may attend a public school in an adjoining school administrative unit in Maine, with the consent of the school board of their unit and if the adjoining unit accepts tuition students.</p> <p>School boards of nearby school administrative units must accept students as requested by the school board of a sending unit where the students live in units with a resident student count of 10 or less.</p> <p><a href="#">(20-A M.R.S. 5203 Elementary students right to attend school in another administrative unit; 20-A M.R.S. 5204 Secondary students right to attend school in another administrative unit)</a></p> <p>Maine Statutes clarify that 2 superintendents may approve the transfer of a student from one school administrative unit to another if:</p> <ul style="list-style-type: none"> <li>• They find the transfer is in the student’s best interest; and</li> <li>• The student’s parent approves.</li> </ul> <p>If a superintendent does not approve the transfer, the superintendent must provide the parent a written description of the basis for the denial of the transfer.</p> <p>Parents may request that the commissioner review the transfer, if it is denied by the superintendent. The commissioner will provide a written decision explaining the determination to allow the student to transfer or not. If the parent is still dissatisfied, the parent may then request the state board review the transfer.</p> <p>Note that this Statute also allows two or more school boards of administrative units to adopt mutual policies allowing for the interdistrict transfer of students, with parental approval.</p>

		<a href="#">(20-A M.R.S. Other exceptions to the general residency rules)</a>
Transfers Within Districts	<b>LIMITED</b> School officials can block transfers	<p>Maine Statutes provide that elementary and secondary students may attend an approved private school or public secondary school in any school administrative unit with the consent of the receiving school’s school board.</p> <p>In these situations, the parent is responsible for paying tuition.</p> <p><a href="#">(20-A M.R.S. 5203 Elementary students right to attend school in another administrative unit; 20-A M.R.S. 5204 Secondary students right to attend school in another administrative unit)</a></p>
Year-round Transfer Window	<b>NO</b> No policy	Maine policy does not provide for an application window for open enrollment transfers.
Tuition-Free Public Schools	<b>LIMITED</b> Tuition can be charged	<p>Maine Statutes provide that elementary and secondary students may attend an approved private school or public secondary school in any school administrative unit with the consent of the receiving school’s school board. In these situations, the parent is responsible for paying tuition.</p> <p>Maine Statutes requires that for the transfer of a student to a school administrative unit in an adjoining area, the school administrative units where students’ parents reside are responsible for paying tuition.</p> <p>Maine Statutes also allow transfers when a resident school administrative unit does not provide for the student’s grade level, in which case, the home district pays the cost of tuition.</p> <p><a href="#">(20-A M.R.S. 5203 Elementary students right to attend school in another administrative unit; 20-A M.R.S. 5204 Secondary students right to attend school in another administrative unit)</a></p> <p>Where a student transfer is the result of a superintendent’s agreement, no tuition will be exchanged – the student will be considered a resident of the receiving school district.</p> <p><a href="#">(20-A M.R.S. 5205 Other exceptions to the general residency rules; see also Maine Department of Education, School Enrollment, Attendance and Eligibility)</a></p>
School Capacity Transparency	<b>NO</b> No transparency policy	Maine policy does not require school districts to publicly report capacity.

<p>Transfer Data Transparency</p>	<p><b>NO</b> No transparency in data reporting</p>	<p>Maine policy does not require state agencies to collect and publicly report district-level open enrollment data.</p>
<p>Transparent Appeal Process</p>	<p><b>NO</b></p>	<p>Maine policy does not provide for an appeal for a district’s denial of transfer.</p>

SOURCE CITATIONS

**Statutes**

[20-A M.R.S. 5203 Elementary students right to attend school in another administrative unit](#)

[20-A M.R.S. 5204 Secondary students right to attend school in another administrative unit](#)

[20-A M.R.S. 5205 Other exceptions to the general residency rules](#)

**State Department of Education**

[Maine Department of Education, School Enrollment, Attendance and Eligibility](#)



## Charter Schools in Maine

POLICY	RATING	POLICY OVERVIEW
<p>Multiple Charter Authorizers</p>	<p><b>LIMITED</b></p> <p>No real authorizer options</p>	<p>Maine Statutes allow the following authorizers:</p> <ul style="list-style-type: none"> <li>• A local school board regarding creating a public charter school within the boundaries of the school administrative unit governed by that local school board;</li> <li>• The Maine Charter School Commission; and</li> <li>• A collaborative among local school boards that forms to set up a regional public charter school to be located within the area managed and controlled by those local school boards.</li> </ul> <p><a href="#">(20-A M.R.S. 2405 Authorizers)</a></p> <p><b>Note:</b> Maine Statute does limit the total number of charter schools to operate in the state at any one time to 10.</p> <p><a href="#">(20-A M.R.S. 2405 Authorizers)</a></p>
<p>Charter Appeal Process</p>	<p><b>NO</b></p> <p>No appeals process</p>	<p>State policy does not provide for an appeal when an authorizer denies an application.</p> <p>Maine Statute requires authorizers to decide on each application within 90 days of receipt. If the application is denied, the authorizer must state its reasons for denial. The applicant may then reapply to that authorizer or apply to any other authorizer in the state.</p> <p><a href="#">(20-A M.R.S. 2408 Charter applications)</a></p>

<p><b>Charter Regulatory Flexibility</b></p>	<p><b>LIMITED</b></p> <p>Some or no exemptions</p>	<p>Charter schools in Maine are subject to all federal laws and authorities, and to local laws not inconsistent with the charter school chapters.</p> <p>Charter schools may not:</p> <ul style="list-style-type: none"> <li>• Engage in discrimination;</li> <li>• Engage in any religious practices;</li> <li>• Charge tuition, except the school may charge tuition to out-of-state students.</li> </ul> <p>Charter schools are subject to the same civil rights and health and safety requirements applicable to other district public schools. Charter schools are subject to the same student assessment and accountability requirements applicable to district public schools. Governing boards must comply with certain requirements established in law, in the same manner as school boards.</p> <p>Except as noted above, charter schools receive broad exemption from all statutes and rules applicable to district public schools, local school boards, or school administrative units.</p> <p>Employees are subject to criminal history record checks and fingerprinting requirements.</p> <p>Charter schools may also apply for waivers from other requirements applicable to district public schools, except for requirements relating to civil rights, health and safety requirements; student assessment and accountability; conflict of interest and public records and proceedings; criminal history record checks and fingerprinting; and special education requirements.</p> <p>Maine Statute additionally provides that a public charter school must comply with federal laws and regulations regarding the qualification of teachers and other instructional staff, and further all full-time teachers must hold an appropriate teaching certificate or become certified within 3 years of hire. Teachers at a public charter school, however, may choose to bargain collectively, under Maine charter school laws.</p> <p><a href="#">(20-A M.R.S. 2412 Operations)</a></p>
<p><b>Equitable Charter Funding</b></p>	<p><b>YES</b></p> <p>Students are funded as in a traditional district school</p>	<p>Maine statute provides that state and local operating funds follow each student to the public charter school that the student attends. The school administrative unit of the student’s residence may retain 1% of the per-pupil allocation to cover associated administrative costs.</p> <p>In addition to state funds, the state is also required to send applicable federal funds directly to public charter schools attended by eligible students.</p>

		<p><a href="#">(20-A M.R.S. 2413 Funding)</a></p> <p>There are some differences between funding for charter schools authorized by local school boards versus charter school authorized by the Commission. The total allocation of state funds for these charter schools is calculated based on the student’s grade level and adjusted for economically disadvantaged students and English learners.</p> <p><a href="#">(20-A M.R.S. 2413-A Funding for public charter schools authorized by the commission)</a></p>
Charter Facilities Funding	<p><b>LIMITED</b></p> <p>Some or no facilities funding</p>	<p>Public charter schools have the right of first refusal to purchase or lease at or below fair market value a closed district public school facility or property.</p> <p><a href="#">(20-A M.R.S. 2414 Facilities)</a></p> <p>Maine does not provide facilities funding for charter schools in policy.</p>
Options for High-Performing Charters	<p><b>LIMITED</b></p> <p>No opportunities for high-performing charter schools</p>	<p>Maine policy does provide for incentives or favorable regulatory environments for attracting or rewarding high-performing charters.</p>
Charter Zoning Exemptions	<p><b>YES</b></p> <p>The same exemptions are provided</p>	<p>Maine statute provides that the same zoning rules that apply to district public schools also apply to public charter schools.</p> <p><a href="#">(20-A M.R.S. 2414 Facilities)</a></p>

SOURCE CITATIONS

Statutes	Administrative Code	Other Resources
<a href="#">20-A M.R.S. Chapter 112 Public Charter Schools</a>	<a href="#">Maine Department of Education Rules, Chapter 140 Public Charter Schools</a>	<a href="#">Maine Charter School Commission</a>



## Private School Choice in Maine

POLICY	OVERALL RATING	PROGRAM OVERVIEW
<p>Universal Eligibility</p>	<p><b>LIMITED</b></p> <p>Eligibility less than 100%</p>	<p>Maine has created the Town Tuitioning Program which allows students in a town without a public school to attend either a public school in another town or a private school.</p> <p>Statutes provide that the sending school district must pay tuition to the receiving public or private school.</p> <p><a href="#">(20-A M.R.S. 5203 Elementary students right to attend school in another administrative unit; 20-A M.R.S. 5204 Secondary students right to attend school in another administrative unit)</a></p>
<p>Comparable Student Funding</p>	<p><b>LIMITED</b></p> <p>Funding below 90%</p>	<p>The State sets the maximum tuition rate that the receiving units may charge, with some allowances for the sending and receiving units to negotiate a different rate.</p> <p><a href="#">(Maine Department of Education, Approval for Receipt of Public Funds by Private Schools)</a></p> <p>EdChoice notes: 78% maximum account value as a percentage of public school per-student spending.</p> <p><a href="#">(EdChoice, The ABCs of School Choice: Maine (2024 Edition))</a></p>
<p>Uncapped Student Access</p>	<p><b>YES</b></p>	<p>There is no cap established in policy on the number of students who can participate. This program is limited to students living in a district that does not operate schools for them. As such, eligibility is the limiting factor.</p> <p><a href="#">(Maine Department of Education, Approval for Receipt of Public Funds by Private Schools)</a></p>
<p>Extended Application Window</p>	<p><b>YES</b></p>	<p>Parents are responsible for reaching out to the school administrative unit to see if they offer school choice to attend an approved public or private school.</p> <p><a href="#">(Maine Department of Education, Approval for Receipt of Public Funds by Private Schools)</a></p>

<p><b>Student Testing Options</b></p>	<p><b>LIMITED</b></p> <p>Rigid mandates, multiple tests, or no accountability</p>	<p>Maine Statutes relating to the Town Tuitioning Program requires private schools to meet student assessment requirements. The private school must “participate in the statewide assessment program to measure and evaluate the academic achievement of students.”</p> <p>This assessment requirement, however, applies only if a school enrolls 60% or more publicly funded students.</p> <p><a href="#">(20-A M.R.S. 2951 Approval for tuition purposes)</a></p>
<p><b>School Autonomy</b></p>	<p><b>LIMITED</b></p> <p>Silent language or adverse regulations</p>	<p>Private schools may be approved for the receipt of public funds for tuition purposes only for the Town Tuitioning Program, provided they meet certain requirements established in statute. These include:</p> <ul style="list-style-type: none"> <li>• Meet the requirements for basic school approval under statute (<a href="#">20-A M.R.S. Chapter 117. Private Schools, Subchapter 1 Basic School Approval</a>), which includes meeting the requirement of compulsory school attendance by meeting hygiene, health and safety requirements; and is currently accredited by the New England association of schools or colleges; or meets requirements in statute pertaining to private schools and the department’s requirements for approval for attendance purposes; as well as other general requirements;</li> <li>• Is nonsectarian;</li> <li>• Complies with reporting and auditing requirements; and</li> <li>• Meets certain student assessment requirements.</li> </ul> <p><a href="#">(20-A M.R.S. 2951 Approval for tuition purposes)</a></p> <p>The requirements for basic school approval specify that the school must employ only certified teachers.</p> <p><a href="#">(20-A M.R.S. 2902 State requirements)</a></p> <p>Statute is silent on the admissions process requirements for participating private schools.</p>
<p><b>Accessible School Participation</b></p>	<p><b>LIMITED</b></p> <p>Accreditation requirement</p>	<p>Participating private schools must either be currently accredited or meet the general requirements established in statute relating to private schools and the department’s requirements for approval for attendance purposes.</p> <p><a href="#">(20-A M.R.S. 2901 Requirement for basic school approval)</a></p>

ESAs and Parent-Directed Spending		
Freedom to Customize	<b>NO</b> No ESA or microgrant program	Maine does not have an education scholarship account or microgrant program.
Freedom to Access	<b>NO</b> No ESA or microgrant program	
Carry-Over Funding	<b>NO</b> No ESA or microgrant program	
Tax Credits		
Full Tax Credit	<b>N/A</b> No Tax Credit Program	Maine does not have an education tax credit program.

SOURCE CITATIONS

**Statutes**

[20-A M.R.S. 2901 Requirement for basic school approval](#)

[20-A M.R.S. 2902 State requirements](#)

[20-A M.R.S. 2951 Approval for tuition purposes](#)

[20-A M.R.S. 5203 Elementary students right to attend school in another administrative unit](#)

[20-A M.R.S. 5204 Secondary students right to attend school in another administrative unit](#)

**State Department of Education**

[Maine Department of Education, Approval for Receipt of Public Funds by Private Schools](#)

**Other Resources**

[EdChoice, The ABCs of School Choice: Maine \(2024 Edition\)](#)



## Homeschooling in Maine

POLICY	RATING	POLICY OVERVIEW
<p>Homeschool without Prior Approval</p>	<p><b>YES</b> No permission required</p>	<p>Maine’s compulsory education laws provide that students are excused from attendance where the student participates in a home instruction program that complies with certain requirements.</p> <p>Maine Statutes do not require parents to receive permission to practice homeschooling.</p> <p><a href="#">(20-A M.R.S. Compulsory attendance)</a></p>
<p>No Extra Homeschool Notifications</p>	<p><b>NO</b> Annual notification</p>	<p>Maine Statutes require parents to provide written notice of intent to provide home instruction to officials at the administrative unit in which the student resides and to the commissioner within 10 calendar days of beginning the schooling. The notice must include:</p> <ul style="list-style-type: none"> <li>• The name, signature, and address of the parent;</li> <li>• The name and age of the student;</li> <li>• The date the home instruction will begin;</li> <li>• A statement of assurance that the program will provide at least 175 days of instruction annually and will provide instruction in certain subject areas;</li> <li>• A statement of assurance that the program will include an annual assessment of the student’s academic progress.</li> </ul> <p>The parent must then submit a letter annually to school officials of the administrative unit in which the student lives and the commissioner with the intent to continue to provide home schooling, as well as including a copy of one enumerated form of annual assessment of the student’s academic progress.</p> <p><a href="#">(20-A M.R.S. Compulsory attendance)</a></p>

<p>No Certification to Homeschool</p>	<p><b>YES</b> No certification requirement</p>	<p>Maine Statutes do not require homeschool parents to possess state teacher certification.</p>
<p>Flexible Assessment Options</p>	<p><b>YES</b> Flexible academic accountability</p>	<p>Maine Statutes require parents to provide for an annual assessment of their student’s academic progress. For each annual notification to the school officials in the school administrative unit and to the commissioner, the parent must include a copy of one of the enumerated forms of annual assessment, which may include:</p> <ul style="list-style-type: none"> <li>• A standardized achievement test administered through the administrative unit in which the student resides;</li> <li>• A test developed by the school officials of the administrative unit in which the student resides;</li> <li>• A review and acceptance of the student’s progress by an identified individual who holds a current Maine teacher’s certificate;</li> <li>• A review and acceptance of the student’s progress based on a presentation of an educational portfolio of the student; or</li> </ul> <p>A review and acceptance of the student’s progress by a local advisory board selected by the superintendent of the administrative unit in which the student lives, including one administrative unit employee and 2 home instruction tutors.</p> <p><a href="#">(20-A M.R.S. Compulsory attendance)</a></p>

SOURCE CITATIONS

**Statutes**

[20-A M.R.S. Compulsory attendance](#)

**State Department of Education**

[Maine Department of Education, Home Instruction Requirements, Forms & Laws](#)

POLICY ENHANCERS



Part-time Enrollment in Maine

POLICY	RATING	POLICY OVERVIEW
<p>Resident Course Access</p>	<p><b>LIMITED</b></p> <p>By type of student, type of course, or district policy</p>	<p><b>Homeschool Students</b>                      Maine Statute specifically provides for homeschool student participation in public schools, including the ability to participate in regular classes and receive credit for those classes, provided certain requirements are met.</p> <p><a href="#">(20-A M.R.S. 5021 Standards for participation in public schools by students enrolled in equivalent instruction programs)</a></p> <p><b>Note:</b> The similar statute for nonpublic school students does not include a requirement to allow nonpublic student participation in public schools.</p> <p><a href="#">(See 20-A M.R.S. 5021-A Standards for participation in public schools by students enrolled in equivalent instruction programs in private schools)</a></p>
<p>Nonresident Course Access</p>	<p><b>LIMITED</b></p> <p>Districts only serve resident students or can impose other restrictions</p>	<p>If a public school unit does not provide academic instruction for specific grade levels, a home-schooled student may request authorization from the resident local school unit to apply to another school unit for permission to participate in classes or activities in that other school unit. Home school students may be required to pay tuition in these circumstances.</p> <p><a href="#">(20-A M.R.S. 5023 Standards for participation when tuition payment is required)</a></p> <p>Note there is no similar requirement for nonpublic students to access courses in public schools.</p>

<p><b>Virtual Course Access</b></p>	<p><b>NO</b></p> <p>No virtual options provided by other entities than the school district in which a student resides</p>	<p>Maine does not provide outside virtual learning opportunities at the individual course level.</p> <p>Maine has two multi-district fully online schools – the <a href="#">Maine Connections Academy</a> and <a href="#">Maine Virtual Academy</a>. Both schools serve students in grades 7-12 and operate as full-time programs.</p>
<p><b>Extracurricular Access</b></p>	<p><b>YES</b></p> <p>Public schools must make extra/co-curricular activities available to all students that reside in their district</p>	<p>Maine Statute specifically provides for nonpublic and homeschool student participation in public schools, including the ability to participate in cocurricular activities and extracurricular activities, provided certain requirements are met.</p> <p>(<a href="#">20-A M.R.S. 5021 Standards for participation in public schools by students enrolled in equivalent instruction programs</a>; <a href="#">20-A M.R.S. 5021-A Standards for participation in public schools by students enrolled in equivalent instruction programs in private schools</a>)</p>

**SOURCE CITATIONS**

**Statutes**

- [20-A M.R.S. 2404 Public charter school eligibility; enrollment](#)
- [20-A M.R.S. 5021 Standards for participation in public schools by students enrolled in equivalent instruction programs](#)
- [20-A M.R.S. 5021-A Standards for participation in public schools by students enrolled in equivalent instruction programs in private schools](#)
- [20-A M.R.S. 5023 Standards for participation when tuition payment is required](#)

**Other Resources**

- [Maine Connections Academy](#)
- [Maine Virtual Academy](#)



## Learn Everywhere in Maine

POLICY	RATING	POLICY OVERVIEW
Provider Qualification Standard	<p><b>NO</b></p> <p>No program</p>	<p>Maine has not established a Learn Everywhere program.</p>
Course Credit Standard	<p><b>NO</b></p> <p>No program</p>	
Core Course Opportunities	<p><b>NO</b></p> <p>No program</p>	
Central State List	<p><b>NO</b></p> <p>No program</p>	



## Transportation in Maine

POLICY	RATING	POLICY OVERVIEW
Open Enrollment Transit	<div style="background-color: red; width: 10px; height: 100%;"></div> <p><b>NO</b></p>	<p>Parents of elementary and secondary students who choose to attend school in another administrative unit are responsible for their own transportation.</p> <p><a href="#">(20-A M.R.S. 5203 Elementary students right to attend school in another administrative unit; 20-A M.R.S. 5204 Secondary students right to attend school in another administrative unit)</a></p>
Fair Transportation Access	<div style="background-color: gold; width: 10px; height: 100%;"></div> <p><b>LIMITED</b></p> <p>Equitable transportation offered to some charter OR private students</p>	<p><b>Charter School Students</b> Charter schools receive transportation funding – this totals a percentage of the per-pupil expenses, which must be determined by the authorizer of the public charter school and must be based on the cost of transportation services provided by the public charter school to the student.</p> <p><a href="#">(20-A M.R.S. 2413 Funding)</a></p> <p><b>Nonpublic School Students</b> Maine States provide that municipalities may raise or appropriate money to provide for the transportation of school children to and from schools other than public schools, except those schools that are operated for profit in whole or in part.</p> <p><a href="#">(30-A M.R.S. 5724 Schools and libraries)</a></p> <p>Maine policies do not provide other transportation services for nonpublic students attending for profit schools.</p>
Vehicle Flexibility	<div style="background-color: green; width: 10px; height: 100%;"></div> <p><b>YES</b></p>	<p>Maine does provide flexibility for school bus vehicle options.</p> <p>Maine Statutes provide that “school bus” includes both “school bus CMV” and “school bus non-CMV.”</p> <p>School bus CMV means a commercial motor vehicle used to transport preprimary, primary, or secondary school students from home to school, from school to home, or to and from school-sponsored events.</p>

School bus non-CMV means a noncommercial motor vehicle designed to carry between 10-16 passengers and used to transport students from home to school, from school to home, or to and from school-related events.

[\(29-A M.R.S. 2301 Definitions\)](#)

**SOURCE CITATIONS**

**Statutes**

[20-A M.R.S. 2413 Funding](#)

[20-A M.R.S. 5203 Elementary students right to attend school in another administrative unit](#)

[20-A M.R.S. 5204 Secondary students right to attend school in another administrative unit](#)

[29-A M.R.S. 2301 Definitions](#)

[30-A M.R.S. 5724 Schools and libraries](#)

**State Department of Education**

[Maine Department of Education, Transportation](#)

**Other Resources**

[National School Transportation Specifications and Procedures \(2015\)](#)

